Your ref: PAN-397280
Our ref: DOC24/156649

Chris O'Brien
Senior Town Planner
Murray River Council

Via email: cobrien@murrayriver.nsw.gov.au

Dear Chris

Subject: Further Information – Blessed Carlo College, Moama (CNR-66076)

Thank you for your email dated 15 October 2024, seeking advice from the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water on this matter.

BCS has statutory responsibilities relating to biodiversity and flood risk management.

We understand the Regional Planning Panel requested additional information on 2 July 2024.

We have reviewed the documents supplied and provide the following advice.

Flood Risk Management

We reiterate our advice dated 30 May 2024 that Murray River Council will soon complete a Major Overland Flow Flood Study for Moama. We encourage the Panel and Council to include this subject land in that study. The stormwater drainage scheme for the site should be designed in the context of that study and comply with Chapter 5 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

Biodiversity

We are satisfied the amended Biodiversity Development Assessment Report dated 18 September 2024 determines the impact of the development consistent with the *Biodiversity Conservation Act 2016*. We recommend conditions of consent to ensure offset and mitigation of those impacts and provide an example at **Attachment A**. Please note numbering is indicative only and must be adjusted to suit the consent.

Information on how to retire by paying into the Biodiversity Conservation Fund, including getting a quote to do so, is available at https://www.bct.nsw.gov.au/cards/pay-fund-offset-development

Payments into the fund are based on the list of Plant Community Types (PCTs) in the like for like group in the Notice of Determination.

If you have any questions about this advice, please contact Marcus Wright, Senior Conservation Planning Officer, via planning.southwest@environment.nsw.gov.au or 02 6938 4917.

Yours sincerely

Andrew Fisher
28 October 2024

Senior Team Leader - Planning, South West
Biodiversity, Conservation and Science Group
NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – Recommended Condition of Consent - Blessed Carlo College, Moama (CNR-66076)

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In preparing this advice BCS have reviewed the following documents:

- Addendum Biodiversity Report, Version 3.1, 18 September 2024, Ozark Environment and Heritage

Recommended Condition of Consent

BCS recommend the following conditions of consent.

Condition X- Biodiversity Conservation – Ecosystem credit retirement

X.1 Prior to the issue of a construction certificate/commencement of any works, the class and number of ecosystem credits in Table X must be retired to offset the residual biodiversity impacts of the development.

X.2 The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits as calculated by the BAM Credit Calculator (BAM-C) (Case 00027290). Note: the price of credits in the BAM-C are subject to change. The amount payable to discharge an offset obligation will be determined at the time of the payment.

X.3 Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the consent authority prior to the issue of any construction certificate/commencement of any works.

Table X - Ecosystem Credits to be retired – like for like.

Impacted Plant Community Type	Number of ecosystem credits	IBRA Region	Plant community type(s) that can be used to offset the impacts from the development
Riverine Western Grey Box grassy woodland of the semi-arid (warm) climate zone (PCT 237)	9	Murray Fans, Inland Slopes, Lower Slopes, Murrumbidgee, Robinvale Plains, South Olary Plain and Robinvale Plains or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	76, 80, 81, 82, 101, 110, 237, 248, 267, 3405,

Condition Y- Biodiversity Conservation – Species credit retirement

Y.1 Prior to the issue of any construction certificate/commencement of any works, the class and number of species credits in Table 2 must be retired to offset the residual biodiversity impacts of the development.

Y.2 The requirement to retire credits outlined in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM credit calculator (BAM-C) (Case 00027290).

Note: the prices of credits in the BAM-C are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

Y.3 Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table Y must be provided to the consent authority prior to the issue of any construction certificate/commencement of any works.

Table Y- Species Credits to be retired Like for Like.

Impacted species credit species	Number of species credits	IBRA Subregion
Masked Owl *Tyto novaehollandiae*	9	Anywhere in NSW

Condition Z- Biodiversity Management Plan

Prior to the issue of any construction certificate/commencement of any works, a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The BMP may form part of a Construction Environmental Management Plan. The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans. The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR. Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR. The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity, including performance measures for each commitment.